

Best Practice Manual

for

Harmonized Application Forms



Capital Region Local Governments

CRD Electoral Areas
District of Central Saanich
City of Colwood
Township of Esquimalt
District of Highlands
District of Langford
District of Metchosin

District of North Saanich
District of Oak Bay
District of Saanich
Town of Sidney
District of Sooke
City of Victoria
Town of View Royal

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1.0 Preface

The project documented in this report was equally funded by

- a **"Smart Development Partnership" Grant from the Ministry of Community, Aboriginal and Women's Services, Province of British Columbia**, and by,
- a **grant under the Affordability and Choice Today (ACT) program**.

ACT is a municipal, housing regulatory reform initiative sponsored by Canada Mortgage and Housing Corporation (CMHC) and jointly managed with the Federation of Canadian Municipalities (FCM), the Canadian Home Builders' Association (CHBA) and the Canadian Housing and Renewal Association (CHRA).

ACT, launched in 1990, seeks to stimulate changes to planning and building regulations and residential development approval procedures to improve housing affordability, choice and quality. The United Nations Centre for Human Settlements recognized ACT in 1998 as one of the top global best practices for improving the living environment.

ACT awards grants to municipal governments, builders, developers, non-profit organizations, industry associations, educational institutions, planners and architects across Canada to change housing regulations and streamline approval processes. ACT grants are awarded under three categories: Demonstration, Approval Process and Promotion. Assistance has been given to a wide range of projects across Canada.

All completed ACT projects are documented in short project overviews or solution sheets, and a number of case studies have been produced as well, to share the benefits of regulatory reform with others. These documents are available to help builders, developers, local building and planning officials, and others recognize and seize opportunities to improve housing affordability, choice and quality through regulatory reform in their communities.

For more information on ACT and ACT projects (both completed and in progress), visit the ACT Web site at www.actprogram.com, or contact:

ACT Administration
c/o The Federation of Canadian Municipalities
24 Clarence Street
Ottawa, Ontario K1N 5P3
Phone: (613) 241-5221 ext. 242
Fax: (613) 244-1515
E-mail: info@actprogram.com

DISCLAIMER

This project was partially funded by the ACT Program. The contents, views and editorial quality of this report are the responsibility of the author(s), and the ACT Program and its partners accept no responsibility for them or any consequences arising from the reader's use of the information, materials or techniques described herein.

2.0 How to use this manual

This document is organized by application types common to all local government planning departments. If you were looking for the best practice suggestions for completing a rezoning application, then after first consulting with the *Development Application* section, you would then refer to the information on a *Rezoning/OCP/Development Permit Application*. For a complete application, both *Part 1* and *Part 2* are necessary.

Development Application – Part 1

In all cases, the applicant must complete the *Development Application*. This is a summary of the property details and the people involved in the project.

Owner Authorization

In some cases, there are multiple owners, or the owner wishes to authorize an agent to act on his/her behalf for the purposes of the development application. For these scenarios, the *Owner Authorization* form may be used.

To supplement information regarding the property and the people involved, specific details regarding the application shall also be submitted; these types of applications are entitled *Part 2*. To find out information regarding the recommended procedure for using these applications, please refer to the specific application type.

Rezoning/OCP Amendment/Development Permit – Part 2

In conjunction with *Development Application – Part 1*, the *Rezoning/OCP Amendment/Development Permit – Part 2* shall also be completed for each zoning, ocp or text amendment application. Even though these applications are listed separately on the *Development Application* form (which should assist when calculating required fees), the *Part 2* form combines these applications due to the similar submission information required. This form requests information on zoning, site size, description and proposed services. To maintain consistency and facilitate the developers with submission details, a list is provided with all the plan requirements.

Development Variance Permit – Part 2

Any applicant requesting a bylaw variance, other than use or density, would be required to complete this form. Key information on this *Part 2* application is the details of the requested variance. As always, a list is provided for staff to review with the applicant to determine the information required for submission for each application.

Preliminary Layout Assessment (Subdivision Consideration) – Part 2

This *Part 2* application, as always supplementing *Part 1*, for the preliminary assessment of a subdivision application, includes such information as property zoning, lot sizes, subdivision type and the details required to be included on the submitted sketch plan.

Board of Variance – Part 2

A simple form of one page, in combination with the property and contact information in *Part 1*, this Board of Variance application includes a list of the variance(s) requested, details of the “hardship”, and items required to be shown on the plans.

For information regarding the implementation of these application forms and any future ideas for harmonization through the region, please refer to the last chapter entitled “What happens next?”

Appendix A includes the blank application forms in their entirety as a reference. The digital Microsoft “Word” files will also be provided so that the individual municipalities may insert their logo or crest, in addition to their name, address and contact information on each application form.

Appendix B provides a sample Building Permit application form. This form has been developed by combining the most common items on current application forms used by the local municipalities. It is not suggested that this application form be implemented at this time. The Building Inspection offices have not been involved in any review during this process, and this form could simply be a starting point for any future discussions.

Appendix C is a copy of the previously completed fee schedule for various types of applications throughout the Greater Victoria area. This may be used for reference and comparison, especially if there is a mandate to attempt to harmonize planning fees.

3.0

Introduction

The term “Best Practice Manual” may be perceived to represent more than just harmonizing application forms. If you reviewed the factors involved in the process of development, the following list may come to mind:

- applications and submission requirements;
- fees;
- steps and procedures; and,
- regulations, such as zoning and procedure bylaws.

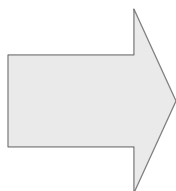
Fees charged for development applications by the municipality must be based on actual costs of administration and processing. It would be a challenging and time-consuming effort to harmonize local government fees. This process could not be completed under the development of this manual. Having said that, during the analysis of current municipal forms and processes, a fee schedule was produced to compare fees charged for each process at each local government. This information is available as a comparison guide in Appendix C, which may become useful if harmonizing some aspects of fees at a later date.

The processing, or steps, required for each application, is based on the individual municipalities needs and requirements. For example, larger municipalities may have more committee or community involvement than a smaller, rural location. It would be difficult to suggest similar steps or time frames to be universal throughout the region.

Local government bylaws are set up to regulate development based on public input and community design. There may be a mandate to develop an area to its fullest extent in one municipality and remain rural in another. In providing the network to develop according to the public needs and Council wishes, bylaws are adopted to reflect the particular region. In many cases, current application forms are referenced in municipal bylaws and proposed changes to the applications would require a bylaw amendment. In the last chapter, there are a few suggestions to keep in mind when proposing bylaw changes relating to application forms. Harmonization in other areas, such as bylaw definitions noted in the last chapter, would require additional studies to determine the validity of such an option.

KEEPING IT SIMPLE...

The focus of this document is the proposed harmonization of application forms. As you read through the manual, you will note that all applications require the same first page – *Part 1*. The property and contact information provided on this page, in combination with researched legal clauses, provides the basis for all applications. In attempting to keep it simple, the supplemental application, based on each application type, is entitled *Part 2*. The details on these forms will be application specific.



To assist the developers, and municipal staff, harmonized application forms would promote consistency and thoroughness in submissions throughout the region. The most important feature of the following application forms is the development of common submission requirements.

Yes, there may be minor anomalies or site-specific additional information required, but if this base list is available to the developers, and supported by the local governments, it should facilitate and expedite the developers and designers in the preparation of the submission documents.

The consultant has taken every possible step in ensuring that the application forms will function as designed for the majority of Local Governments. The application forms suggested in this Best Practice Manual were compiled from current local government applications and feedback from Local Government Planners, in an attempt to meet the needs of the local municipalities. The consultant is not responsible for any items that may have been overlooked or omitted, but will make every attempt to resolve any outstanding issues.

4.0
Guide to Part 1

Application Forms

Development Application
Part 1 (DEV-DEV)

Owner's Authorization
(DEV-OWN)



4.1

Part 1

Development Application

As entitled, *Part One* is the first document and used for all types of applications. The application form is included here as an overview, in conjunction with details on each individual section.

On this form, the applicant would be required to indicate the type of application, names of applicant and owner, including addresses and phone numbers. In the case of uncommon applications, such as Temporary Use Permits or Strata Applications, there is a blank “application type” which will allow the applicant to use this form for other applications, as acceptable to the local government.



Development Application



District of Harmonization

Planning & Development Services
5555 Anywherebutthere Road, Somewhere BC V1V 2V2

Part 1

tel (250) 555-5555 fax (250) 555-5556
www.districtofharmonization.com

An application is submitted for one or more of the following:

- Rezoning/Bylaw Text Amendment
- OCP Amendment
- Development Permit
- Development Variance Permit
- Preliminary Layout Assessment (Subdivision)
- Board of Variance
- _____

Description of Property

Civic Address _____ PID _____

Legal Lot _____ Block _____ Section _____ Range _____ Plan _____

Contacts

Please print clearly.

Applicant

Name		Company	
Address		City	
Email		Postal Code	
Phone	Cell	Fax	

The undersigned owner/authorized agent of the owner makes an application as specified herein, and declares that the information submitted in support of the application is true and correct in all respects.

Applicant's Signature (required)	Date
----------------------------------	------

Owner

If the applicant is NOT the owner, complete "Owner's Authorization" form.

Name		Company	
Address		City	
Email		Postal Code	
Phone	Cell	Fax	

Any personal information provided in this application is collected for the purpose of administering the Local Government Act, and the bylaws of the municipality under the Local Government Act, and under the authority of those enactments. Questions about the collection of the information may be directed to the Freedom of Information Officer.

Office Use Only

	Date	File No.
Received	Received By	Folio No.
Required Documents		
Required Plans	Receipt No.	Fees
		\$

As entitled, *Part One* is the first document and used for all types of applications. The application form is included here as an overview, in conjunction with details on each individual section.

On this form, the applicant would be required to indicate the type of application, names of applicant and owner, including addresses and phone numbers. In the case of uncommon applications, such as Temporary Use Permits or Strata Applications, there is a blank “application type” which will allow the applicant to use this form for other applications, as acceptable to the local government.

Application Type

The applicant is required to specify the type of application, and may include more than one application, if processed concurrently. An example might be Rezoning and Development Permit applications, where both could be checked off and all relevant accompanying information would be required. The indication of the type of application(s) dictates the set of *Part 2* forms that must be submitted. *Part 2* documents complete the application with the information necessary to process each specific application type.

Description of Property

Obviously, a key point in the application is the location of the property. In some cases, perhaps smaller developments, the application may only include the civic address. It should be noted that it is in the applicant's best interest that he/she has researched the Title of the property to review any registered covenants, easements or rights-of-way, and if that were the case, they would have the accurate legal description.

Regardless of whether the municipality requires a copy of the Certificate of Title, or who retrieves it, staff would be able to assist the applicant with the Legal Description. The Parcel Identifier number (PID) may be used by some municipalities for filing purposes or for registering Development Permits at the Land Title Office. In some instances, the legal description may be wordy and lengthy and the line below may be used to add the “district” or additional descriptions.

Contacts – Applicant

It is the applicant that is making the submission, and therefore the first listed contact. The applicant is required to print his/her name, address, contact numbers and email (if applicable). The applicant is indicating that he/she “*makes application for the permit specified herein, and declares that the information submitted in support of the application is true and correct in all respects.*” The signature in this area is mandatory. Legal council was sought to confirm the wording of this clause, and others throughout the harmonized application forms.

Contacts - Owner

The submitted owner name and address should reflect the copy of the Certificate of Title. In this way we are certain that the owner is involved in the development application. If there are multiple owners, or if the owner does not wish to be the applicant, the owner(s) should sign off authority to another. The *Owner Authorization* form (details in following section) can be used to complete this task. If the owner is the applicant, the owner's signature will have been added in the "Applicant" section above.

Office Use Only

Legal advice indicated that the requirements of section 27(2) of the *Freedom of Information and Protection of Privacy Act* would suggest a notice in the following form:

"Any personal information provided in the application is collected for the purpose of administering the Local Government Act, and the bylaws of the municipality of the Local Government Act, and under the authority of those enactments. Questions about the collection of the information may be directed to the Freedom of Information Officer."

It was suggested that the local contact could be identified by position (not name). If you wish to alter the position title, or add a phone number, the attached "Microsoft Word" document may be altered to suit.

The "Office Use Only" area may be used in part or wholly to meet the needs of the individual municipality. The "Received" section may be altered to reflect the submission requirements of each local municipality if necessary.

The remaining items should be self-explanatory. Some municipalities use the folio number for filing reference, and others issue separate file numbers for each application. In this section, the individual municipalities would use those boxes necessary for their own receiving and processing methods.

4.2

Owners Authorization

This form would generally be used as the Owner's Authorization if the applicant is someone other than the owner.

Another example when this form would be useful is if there are multiple owners and all signatures would be required to give another authority to deal with an application.



Owner's Authorization

District of
Harmonization

tel (250) 555-5555
fax (250) 555-5556

This form may be used in conjunction with Development Applications where the owner is authorizing an agent to submit an application and liaison with the municipality on his/her behalf.

Description of Property

Civic Address _____

Legal Lot _____ Block _____ Section _____ Range _____ Plan _____

Authorization

Authorization *The owner(s) of the above property, hereby authorize and appoint _____ as our agent for the purposes of the submitted application.* *Print Name*
All communication and correspondence regarding this application shall be directed to the applicant.

Owner(s)

Please print clearly.

Owner Name (or Company Representative with Signing Authority)		Company	
Address		City	
Phone	Fax	Postal Code	
Registered Owner Signature (or Company Representative with Signing Authority)		Date	

Owner Name (or Company Representative with Signing Authority)		Company	
Address		City	
Phone	Fax	Postal Code	
Registered Owner Signature (or Company Representative with Signing Authority)		Date	

Owner Name (or Company Representative with Signing Authority)		Company	
Address		City	
Phone	Fax	Postal Code	
Registered Owner Signature (or Company Representative with Signing Authority)		Date	

Any personal information provided above is collected for the purpose of administering the Local Government Act, the bylaws of the municipality under the Local Government Act, and under the authority of those enactments. Questions about the collection of the information may be directed to the Freedom of Information Officer.

Owner's Authorization

This form would generally be used as the Owner's Authorization if the applicant is someone other than the owner. Another example when this form would be useful is if there are multiple owners and all signatures would be required to give another authority to deal with an application.

Description of Property

Although this section is repetitive of information provided on the *Development Application – Part 1*, it is necessary to reference this document, legally, to a specific property, and in turn, a specific application. If the applicant is aware of the Civic Address only, staff should be able to confirm the property in question, with the assistance of the applicant, and provide the referenced legal description.

Authorization

All owners indicated on the Certificate of Title shall complete their name, address, contact information and signatures, giving authority to another to complete the application process. Even when one of the registered owners will be acting as the applicant, all the owners shall complete their information to indicate their agreement with the applicant and the application.

In the case of a couple, where both partners are indicated on the Certificate of Title, legal opinion indicated that only one signature would be necessary.

5.0

Guide to Part 2

Application Forms

Rezoning
OCP Amendment
Development Permit
Part 2 (DEV-RDP)

Development Variance Permit
Part 2 (DEV-DVP)

Preliminary Layout Assessment
Part 2 (DEV-PLA)

Board of Variance
Part 2 (DEV-BOV)



5.1

Part 2

Rezoning / OCP Amendment / Development Permit

Part 2 documents supplement that information provided in *Part 1*. You will notice that this application covers the details and submission requirements for Rezoning, OCP Bylaw Amendments and Development Permit (DP) applications.

This particular form provides the applicant space to detail specifics on the DP area as well as specifics on zoning, existing and proposed use, and justification for the development and site services. In addition, as with all applications, there is a list of information required for submission, and a space for additional information that may be required by the individual municipalities.



Rezoning / OCP Amendment / Development Permit Application

District of
Harmonization

Part 2

tel (250) 555-5555
fax (250) 555-5556

Development Permit Application		
Zoning	_____	
DP Area	_____	
Variations Requested	yes <input type="checkbox"/>	no <input type="checkbox"/>

Rezoning/OCP Amendment Application	
Current Zoning	Proposed Zoning _____
Current OCP Designation _____	
Proposed OCP Designation _____	

Development Details

Property Size _____ Existing Use _____
(m² or ha)

Describe Proposal _____

Justification and Support

Indicate compliance with the OCP or DP Area guidelines and include details of community benefits.

(attach additional information to clarify)

Services and Covenants

Services shall be provided in a manner acceptable to the Municipality. Proposals shall be reviewed and additional information may be required. Please complete the following:

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| yes | no | n/a | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | preliminary investigation has been completed to determine possible site servicing options (storm, sewer, water and access); |
| yes | no | n/a | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | servicing details are indicated on the submitted plans and/or attached brief, with reference to applicable land use and subdivision bylaws; and, |
| yes | no | n/a | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | registered covenants have been reviewed and plans reflect requirements. |

Site Profile for Contaminated Sites

Pursuant to the *Waste Management Act*, an applicant is required to submit a completed "Site Profile" on properties that are/were used for purposes indicated in Schedule 2 of the *Contaminated Sites Regulations*. Please indicate if:

- | | | |
|--------------------------|--------------------------|--|
| yes | no | |
| <input type="checkbox"/> | <input type="checkbox"/> | the property has been used for commercial or industrial purposes; and, |
| yes | no | |
| <input type="checkbox"/> | <input type="checkbox"/> | soil removal is required as part of this proposed permit. |

If *both* of these are applicable (yes), consult with Schedule 2 to determine if a Site Profile is necessary. Additional information regarding contaminated sites is available from the municipality or at <http://wlapwww.gov.bc.ca/epdv/>

Information Required for Submission

Consult with staff to determine non-applicable (N/A) items. Additional information may be requested during application review.

Req'd	Rec'd	Documents & Models	Req'd	Rec'd	Plans	Details
		Copy of Certificate of Title Current copy, including relevant covenants, rights-of-way and easements			Sets of metric plans	Reduced sets of metric plans
		Brief Rationale for Proposal Describe the justification and community benefit of the proposal			Site Plan metric scale only	North arrow and scale
		Site Profile Complete "Schedule 1" from the <i>Contaminated Sites Regulations</i>				Dimensions of property lines, rights-of-way, easements
		Community Comments Include any comments from neighbours/community associations				Dimensions & setbacks of proposed & existing buildings & structures
		3-D Scale Model Show building massing, siting & relationship to adjacent sites				Location of existing & proposed access, sidewalks, curbs, boulevards, edge of pavement & transit stops
						Location, numbering & dimensions of all vehicle and bicycle parking, disabled persons' parking, vehicle stops & loading
						Natural & finished grades of site, at buildings & retaining walls
						Locate all existing & proposed water lines, wells, septic fields, sanitary sewer & storm drain facilities, including sizes
						Locate high water mark, top of bank, natural boundaries, watercourses & riparian area on or within 30 m of property
						Above ground services, equipment and exterior lighting details
						Location & dimensions of free-standing signs
					Storm water management and surface permeability	
						Include reference to BCLS site plan
					Floor Plans min. scale 1:100	Uses of spaces & building dimensions
						Adaptable housing requirements (if applicable)
					Elevations min. scale 1:100	Building finishes, materials & colours
						Natural, finished grade & floor(s), roof & building height elevations
						Locations & sizes of roof mechanical equipment, stairwells, elevator shafts etc that protrude above the roof line
						Examples of exterior finish colours
					Landscape Plan scale as site plan	Building signage details
						Location, quantity, size & species of existing & proposed plants, trees & turf.
						Contour Information (2.0 m intervals)
						Major topographical features (water course, rocks, etc.)
						All screening (garbage/refuse collection), paving, retaining walls & other details
						Landscape Architect's landscape estimate

Development Summary (data table on plans)	
	Owner & Designer/Architect
	Civic & Legal Address
	Project Description
	Site area & site coverage
	Total floor area & floor area (or space) ratio (FAR/FSR)
	All setbacks
	Number & type of units
	Parking requirements & calculations
	Height of building

Additional Requirements

Municipal Specific Requirements

Rezoning/OCP Amendment/ Development Permit – Part 2

Part 2 documents supplement that information provided in *Part 1*. You will notice that this application covers the details and submission requirements for Rezoning, OCP Bylaw Amendments and Development Permit (DP) applications. This particular form provides the applicant space to detail specifics on the DP area as well as specifics on zoning, existing and proposed use, and justification for the development and site services. In addition, as with all applications, there is a list of information required for submission, and a space for additional information that may be required by the individual municipalities.

Development Details

For Development Permit applications, it may assist staff to have a section for zoning, DP area, and ask the question if variances are requested. In the case of a Rezoning or OCP Amendment application, the key is altering an existing zone or designation to another listed or new zone or designation. This information is identified in this section.

In order for planning staff to review the application, information must be provided on the existing and proposed use, in addition to any justification for the municipality to support the request for change. The applicant should focus on this section of the application in order to convince the local government that this development is a positive change for the community. If doing so takes additional space than what is provided on the form, the developer should be encouraged to use an additional page to get his/her point across.

With any proposed development, there may or may not be significant hurdles with regards to servicing a site. This section on “Services” is provided to ensure that the applicant has done his/her due diligence in researching what municipal services may be provided to the site. If there are potential problems in this area, the developer should be able to provide possible solutions in order to continue with the approval process.

The Rezoning and Development Permit process is mentioned in the *Waste Management Act* (section 26.1) where as

“a person must provide a site profile in accordance with the regulations...that the person knows or reasonably should know is or was used for industrial or commercial activity”.

If the applicant indicates that

the property has been used for commercial or industrial purposes; and that soil removal is required as part of this proposed permit

then, by this indication, a site profile is required. Section 6(4) of the Regulation provides that a municipality, on receipt of a development application without a site profile, may submit information to a manager indicating that the municipality believes the subject land has been used for commercial and industrial purposes as referenced in Schedule 2 of the Contaminated Sites Regulations.

Alternatively, the municipality may make a suggestion to the applicant, and indicate on the required information section, to submit a site profile for the property in question. This is a discretionary power and not an obligation, according to legal opinion. The duty to submit a site profile is on the applicant.

Information Required for Submission

This section of the *Part 2* form is the crux of the “harmonization” aspect of these applications. The preparation of the accompanying plans and documents are the most time-consuming part of making a development application. Maintaining consistency throughout the region on required submission information would enable the applicants, developers and designers to provide complete and accurate plans.

As all properties are physically different, so will be the application forms submitted for each property. Some or all of the details required may be required for an individual application. For the developments where the entire list is not mandatory, it would be in the best interest of all applicants to review the proposal with staff so that part of the list may be eliminated. It was necessary, with the goal of “harmonization”, that the required information list be extensive, to cover most scenarios. It is recommended that staff also indicate the number of required plans for submission to facilitate processing the application.

The three components to this section are:

- documents required, such as a copy of the Certificate of Title;
- development summary – in the form of a data box that may be located directly on the plans; and,
- details required on each plan – like property lines and watercourses on the site plan, and exterior finishes on the elevations.

Under the “req’d” column, staff may indicate if the item is not required (n/a) as part of the submission package. In addition, items may be added, if necessary, as part of any municipal-specific requirements. (See below for recommended alternative.)

Additional Requirements

This is the recommended section for staff to utilize when there are municipal-specific requirements that need to be addressed as part of the application. When there are environmental issues or site-specific concerns that are brought to the applicant’s attention, staff may use this area to record additional submission requirements. In this way, the bulk of the document remains the same, with only one location for those developers across the region to refer to for local requirements. The “Microsoft Word” document may be altered, prior to printing, by changing the underlined section to text where specific information is required for all applications.

5.2

Part 2

Development Variance Permit

The Development Variance Permit (DVP) application has been designed as a separate document from the Development Permit (DP) application.

In this manner, the DVP form could be used independently, with less submission requirements and a data table listing the requested variances, or in conjunction with a DP application.

When a DP application is submitted with a variance request, the applicant (or staff) could use the data table to list the desired bylaw variances for the development.



Development Variance Permit Application

District of Harmonization

Part 2

tel (250) 555-5555
fax (250) 555-5556

Development Details Current Zoning _____ Property Size (m² or ha) _____

Existing Use _____

Describe Proposal _____

Requested Variances

Bylaw Section & Requirement	Permitted	Proposed	Difference
<i>Example (Section 204.7 – Building Height)</i>	<i>(9.0m)</i>	<i>(9.5m)</i>	<i>(0.5m)</i>

(attach additional information to clarify)

Justification and Support

(attach additional information to clarify)

Site Profile for Contaminated Sites

Pursuant to the *Waste Management Act*, an applicant is required to submit a completed "Site Profile" on properties that are/were used for purposes indicated in Schedule 2 of the *Contaminated Sites Regulations*. Please indicate if:

- yes no
 the property has been used for commercial or industrial purposes; and,
- yes no
 soil removal is required as part of this proposed permit.

If *both* of these are applicable (yes), consult with Schedule 2 to determine if a Site Profile is necessary. Additional information regarding contaminated sites is available from the municipality or at <http://wlapwww.gov.bc.ca/epdiv/>

Development Variance Permit Application

District of Harmonization

Part 2

tel (250) 555-5555
fax (250) 555-5556

Information Required for Submission

Consult with staff to determine non-applicable (N/A) items. Additional information may be requested during application review.

Req'd	Rec'd	Documents	Req'd	Rec'd	Plans	Details
		Copy of Certificate of Title Current copy, including relevant covenants, rights-of-way & easements			Sets of metric plans	Reduced sets of metric plans
		Brief Rationale for Proposal Show justification for the variance(s)			Site Plan metric scale only	North arrow and scale
		Site Profile Complete "Schedule 1" from the <i>Contaminated Sites Regulations</i>				Dimensions of property lines, rights-of-way, easements
		Community Comments Include any comments from neighbours/community associations				Dimensions & setbacks of all buildings & structures
						Location of existing & proposed access, sidewalks, curbs, boulevards, edge of pavement & transit stops
						Location, numbering & dimensions of all vehicle and bicycle parking, disabled persons' parking, vehicle stops & loading
						Natural & finished grades
						Locate all water lines, wells, septic fields, sanitary sewer & storm drain facilities
						Locate high water mark, top of bank, natural boundaries, watercourses & riparian area on or within 30 m of property
				Location & dimensions of free-standing signs (relating to DVP)		
				Identify requested variance(s)		
		Development Summary (data table on plans)			Floor Plans min. scale 1:100	Uses of spaces & building dimensions
		Owner & Designer/Architect			Elevations min. scale 1:100	Building finishes, materials & colours
		Civic & Legal Address				Natural, finished grade & floor(s), roof & building height elevations
		Project Description				Locations & sizes of roof mechanical equipment, stairwells, elevator shafts etc that protrude above the roof line (if relating to DVP)
		Site area & site coverage				Building signage details (if relating to DVP)
		Total floor area & floor area (or space) ratio (FAR/FSR)				
		All setbacks				
		Number & type of units				
		Parking requirements & calculations				
		Height of building			If required to demonstrate requested variance(s)	
		Variance(s) requested			Landscape Plan scale as site plan	

Additional Requirements

Municipal Specific Requirements

Development Variance Permit – Part 2

The Development Variance Permit (DVP) application has been designed as a separate document from the Development Permit (DP) application. In this manner, the DVP form could be used independently, with less submission requirements and a data table listing the requested variances, or in conjunction with a DP application. When a DP application is submitted with a variance request, the applicant (or staff) could use the data table to list the desired bylaw variances for the development.

Development Details

Typical information that may be helpful to process this application is the property zoning, use and size. You may note the property size value is required in metric. In doing so, rather subtly, the individual local governments may choose to focus on this aspect by requiring metric drawings emphatically, or alternatively, accepting information in either format. The trend seems to be towards mandating both plans and development data solely in metric.

The next section deals with the specifics of the requested variances. In some instances, the municipality receives a DVP application, in conjunction with a DP application, and the required variance may be left to the municipality to determine. With this table as part of the application, it would be in the best interest of the municipality to allow the applicant, with the assistance of the local Zoning or Land Use Bylaw and planning staff, to determine what variances they are requesting. The included example should also assist the applicant with this task.

Written details of support and justification should clearly state the benefits to the community, if the bylaw variance was allowed. If additional pages are necessary to provide the municipality with enough information to process the application, the applicant should be encouraged to utilize additional space. (Indicate requirement under “Information Required for Submission” if this is expected).

The confirmation of site servicing review generally required with a *Part 2* application is removed for the Development Variance Permit process. If a site will be requiring new or additional services, it would then be part of a Development Permit or a Building Permit.

The *Waste Management Act* requires that property being considered for a Development Variance Permit application must be reviewed in accordance with the Contaminated Sites Regulation. If the applicant indicates that

the property has been used for commercial or industrial purposes; and that soil removal is required as part of this proposed permit

then, by this indication, a site profile is required. The duty to submit a site profile is on the applicant.

Information Required for Submission

There are three components to this section. In the case of a DVP application, these are:

- documents required, such as a copy of the Certificate of Title;
- development summary – in the form of a data box that includes the requested variance(s) (i.e. permitted and proposed); and,
- details required on each plan – in relationship to the requested variance(s).

Under the “req’d” column, staff may indicate if the item is not required (n/a) as part of the submission package. In addition, items may be added, if necessary, as part of any municipal-specific requirements. (See below for recommended alternative.)

Additional Requirements

Because fees vary throughout the area, each municipality should be able to provide the public with a handout detailing their specific fees for each process. This information would be supplemental, and is not included for information on the harmonized application forms, due to the range of fees throughout Greater Victoria.

This is the recommended section for staff to utilize when there are municipal-specific requirements that need to be addressed as part of the application. Staff may use this area to record additional submission requirements in order to keep the bulk of the document consistent with other municipalities utilizing the harmonized forms.

5.3

Part 2

Preliminary Layout Assessment (Subdivision)

This application form will require information on the property, such as size, zoning and use, in addition to the type of subdivision and number of lots proposed.

Details and justification of the subdivision are also required, as well as a number of listed items to be shown on the sketch plan submission.



Preliminary Layout Assessment (Subdivision)

District of
Harmonization

Part 2

tel (250) 555-5555
fax (250) 555-5556

Property Details

Current Zoning _____ Property Size (m² or ha) _____ Property in ALR yes no
 Current Use _____ Subdivision for Relative yes no
 (ALR Section 946)

Development Details

Subdivision Type Fee-Simple Bare Land Strata No. of Proposed Lots _____

Describe Proposal _____

Justification and Support

Indicate compliance with bylaws and community plan

(attach additional information to clarify)

Services and Covenants

Services shall be provided in a manner acceptable to the Municipality. Proposals shall be reviewed and additional information may be required. Please complete the following:

- yes no n/a
 preliminary investigation has been completed to determine possible site servicing options (storm, sewer, water and access);
- yes no n/a
 servicing details are indicated on the submitted plans and/or attached brief, with reference to applicable land use and subdivision bylaws; and,
- yes no n/a
 registered covenants have been reviewed and plans reflect requirements.

Site Profile for Contaminated Sites

Pursuant to the *Waste Management Act*, an applicant is required to submit a completed "Site Profile" on properties that are/were used for purposes indicated in Schedule 2 of the *Contaminated Sites Regulations*. Please indicate if:

- yes no
 the property has been used for commercial or industrial purposes; and,
- yes no
 soil removal is required as part of this proposed permit.

If *both* of these are applicable (yes), consult with Schedule 2 to determine if a Site Profile is necessary. Additional information regarding contaminated sites is available from the municipality or at <http://wlapwww.gov.bc.ca/epdv/>

Information Required for Submission

Consult with staff to determine non-applicable (N/A) items. Additional information may be requested during application review.

Req'd	Rec'd	Documents
		Copy of Certificate of Title Current copy, including relevant covenants, rights-of-way and easements
		Brief Rationale for Proposal Describe the justification and community benefit of the proposal
		Site Profile Complete "Schedule 1" from the <i>Contaminated Sites Regulations</i>
		Percolation Test Results Where no community sewer system exists – Form from CHR
		BCLS Site Plan If retaining existing buildings

Development Summary (data table on plans)	
	Owner & Applicant
	Designer, Engineer & Surveyor
	Civic & legal address
	Lot size & number
	Existing buildings require setbacks & spatial separation calculations between other buildings and proposed property lines (BC Building Code 9.10.14)

Req'd	Rec'd	Plans	Details
		Sets of metric plans	Reduced sets of metric plans
		Sketch Plan min. scale 1:1000	North arrow and scale
			Area & dimensions of all existing & proposed lots, rights-of-way & easements, including adjacent parcels, extending at least beyond the far edge of each adjacent property
			Setbacks of existing buildings/structures from existing &/or proposed property lines, detailing which structures will remain after subdivision
			Location of existing & proposed driveways, grades, roadways, accesses, adjacent streets, parcels & neighbouring highway intersections
			Location, species & size of all trees
			Location of topographical features including rock outcroppings, watercourses, high water mark, top of bank, natural boundaries
			Contour information (2.0m intervals)
			Detail existing & proposed services including water, wells, septic fields & test holes, sanitary sewer & storm drains
			Location of the proposed building envelope

Req'd	Rec'd	Additional Information (if necessary)	Details
		Environmental Consideration	
		Topographical Survey	Contour information, flooding capabilities, hazardous situations
		Geotechnical Analysis	
		Digital Files	Site survey to be provided in digital format

Additional Requirements

Municipal Specific Requirements

Preliminary Layout Assessment (Subdivision Consideration) – Part 2

This application form will require information on the property, such as size, zoning and use, in addition to the type of subdivision and number of lots proposed. Details and justification of the subdivision are also required, as well as a number of listed items to be shown on the sketch plan submission.

Property Details

The basis of a Preliminary Layout Assessment Application (PLA) is confirming that the proposed property boundaries allow for sites that substantially comply with the municipal regulations. To that end, the details of the property and the development, such as size, use and number of lots is key to the assessment of the Approving Officer. This information shall be provided by the applicant on the form, and also reflected on the submitted sketch plan.

Development Details

To facilitate potential approval, the subdivision proposal should reflect compliance with local bylaws and the community plan. Justification of the proposal shall be included on the application, and, if necessary, on an additional page, explaining the benefits to the community.

Servicing details are especially important to review at the application stage. The development potential of a specific site is often related to the ability to effectively provide services. It is imperative that the developer researches the available municipal services prior to making application. Information about his/her research should be included on the sketch plan and detailed in an attached brief, if necessary.

The *Waste Management Act* requires that property being considered for a Subdivision application must be reviewed in accordance with the Contaminated Sites Regulation. If the applicant indicates that

the property has been used for commercial or industrial purposes; and that soil removal is required as part of this proposed permit

then, by this indication, a site profile is required. The duty to submit a site profile is on the applicant.

Information Required for Submission

The information to be detailed on the application form is broken down into four areas. In the case of a PLA application, there are:

- documents required, such as a copy of the Certificate of Title;
- details required on the sketch plan – like property lines and building envelopes;
- development summary – in the form of a data box on the plans; and,
- additional information, including site or municipal-specific details.

A few municipalities are currently offering Title Certificate retrieval services, for a small fee, through *BC Online* and the Land Titles Office. This may continue to be the trend as the future location of the Land Titles Office is uncertain. If the applicant does not provide a “Copy of the Certificate of Title”, but instead the municipality will retrieve the documents, then the item could be circled ○ to indicate that the item is forthcoming.

It is imperative that staff has an opportunity to discuss the proposed application before the submission. Not only does this assist the applicant with necessary feedback, but it also allows staff to indicate if any of the listed submission information is not necessary for the specific application. It would then save both the applicant and staff future time in preparing and reviewing the application. In conjunction with the list of requirements, staff should also indicate the number of sketch plans required for submission to facilitate processing the application.

Additional Requirements

Fees are one example of requirements that currently vary throughout the region. A separate document should be provided to the applicant indicating the required fees for each type of submission. Also, in this section, the local municipality is given space to indicate if additional information is required specifically for this site.

5.4

Part 2

Board of Variance

A basic application, this one page document would be submitted in conjunction with the *Development Application – Part 1*.

Generally speaking, Board of Variance applications require two things: firstly justification of a site-specific hardship if having to comply with a bylaw restriction, such as building siting or height; secondly, plans detailing the proposal.

This form provides the means for the applicant to provide these required details.



Board of Variance Application

District of
Harmonization

Part 2

tel (250) 555-5555
fax (250) 555-5556

Development Details

Building Use _____ **Current Zoning** _____ **Property Size** (m² or ha) _____

Describe Proposal _____

Requested Variances

Site access
required for Board
members.

Please mark out
setback variances
on site.

Bylaw Section & Requirement	Permitted	Proposed	Difference
<i>Example</i> (Section 5.3.04 - Rear Yard Setback)	(7.5m)	(7.65m)	(0.15m)

Hardship and Justification

(attach additional information to clarify)

Information Required for Submission

Consult with staff to determine non-applicable (N/A) items. Additional information may be requested during application review.

Req'd	Rec'd	Documents & Data
		Copy of Certificate of Title Current copy, including relevant covenants, rights-of-way & easements
		Brief Rationale for Proposal Describe the <u>hardship</u> & justification for the variance(s)
		BCLS Site Plan Required for existing buildings
		Site Data Summary (on plans) Civic & legal address Site area & coverage Floor area and floor space ratio Setbacks Building height Requested variance(s)
		Mobile Home Park Approval Submit Park owner's permission

Req'd	Rec'd	Plans	Details
		# of metric plans	# of reduced sets of metric plans
		Site Plan min. scale of 1:100	North arrow and scale
			Dimensions of property lines, rights-of-ways & easements
			Dimensions & setbacks of all buildings & structures, between buildings & to property lines
			Location of access, driveways, sidewalks & boulevards
			Locate high water mark, top of bank, watercourses & riparian area on or within 30 m of property
			Locate all services & septic fields
			Identify requested variances
		Floor Plans	Building dimensions
		Elevations	Natural & finished grades, roof & building height elevations

Board of Variance – Part 2

A basic application, this one page document would be submitted in conjunction with the *Development Application – Part 1*. Generally speaking, Board of Variance applications require two things: firstly justification of a site-specific hardship if having to comply with a bylaw restriction, such as building siting or height; secondly, plans detailing the proposal. This form provides the means for the applicant to provide these required details.

Development Details

As in the Development Variance application, the focus in this section is on the details provided by the applicant on the requested variances. An example is shown to assist the applicant with providing the required details, such as:

- bylaw requirement, like building height;
- permitted, to indicate the bylaw requirements, say 8 metres;
- proposed, to show what the construction is required to be, maybe 8.15 metres; and,
- difference, between Permitted and Proposed, which would assist the Board in reviewing the application, for example 0.15m.

In this section, there is also the request for building use, zoning, property size and a short description of the proposal. To assist the Board, it is recommended that any setback variance request be visibly marked for the Board members site visit.

Information Required for Submission

The most common Board of Variance application would be for a relaxation of building setback or height. With this in mind, the critical plans would be a site plan or an elevation plan. For the Board to understand the application, there is a minimum amount of information that should be shown. This list of information required should be reviewed by staff with the applicant to determine if there are any items that would not be applicable. In some cases, there may not be enough space on the application to clearly describe the owner's hardship. Additional information may be submitted to accompany the application.

6.0 What happens next?

6.1 Utilizing the Harmonized Forms

Altering Current Bylaws

By making the choice to utilize the included harmonized forms, it may require the altering of current procedure bylaws to reference the use of such forms. You may wish to consider the advantages of not prescribing the actual form of application in the bylaw, but merely requiring that applications be made in the form prescribed for that purpose from time to time by a named official, such as the Director of Planning. Section 928(4) of the *Local Government Act (LGA)* suggests that permit forms must be designated by bylaw, but it does not deal with application forms. Delegating the authority to prescribe this form to the staff level will facilitate minor changes to the form without having to be approved through bylaw amendments.

Including the Board of Variance application under *Development Application – Part 1* requires this prescribed application to be set out in the Board of Variance Bylaw. This would be another step in the harmonization process, and would be separate from the reference in the Procedure Bylaw (*LGA* section 895(1)) to any development application forms. Section 900(3) of the *Local Government Act* requires that the Board of Variance Bylaw must set out the procedures by which appeals are to be brought forward, which could include a mandatory application form. Therefore if a municipality incorporates the harmonized forms into their processes, and, in doing so, utilizes the Board of Variance option, *Part 1* and *Part 2* must be prescribed in the Board of Variance Bylaw.

Altering the Digital Document

To facilitate initial and future changes, the harmonized application forms have been provided in “Microsoft Word” format. Initial changes would include the addition of the specific municipality name, address and contact information in the header of the documents. Simply by double-clicking the header area, and highlighting the current harmonized text, one may change the text to reflect each local government. A “text box” is located in the middle of the header, for each government crest or logo to be added. Again, by clicking and inserting a graphic or logo, these documents can be personalized.

The key is maintaining consistency with the current content as much as possible. If there is an additional form required to meet the local needs, this specific form could be entitled Part 3, and designed in a similar format.

Internet Ready

When the decision has been made to support the harmonization of applications, and necessary bylaw changes have been made, it is imperative in today's Internet-friendly environment, that the forms be available to all on the web. Using "Adobe" software, the altered "Microsoft Word" documents can be easily converted into a "PDF" file, which could then be downloaded by the developers. Increasing numbers of people use the Internet as a tool, and it is becoming the top source for information. To facilitate developers in the application process, they must be aware of those municipalities participating in the "harmonized" program by posting the recommended forms on-line. As there is a current desire to work with developers by recommending pre-application discussions, there is little benefit at this point in providing interactive application forms on the Internet. If digital plan submissions become the norm, it would then be in everyone's best interest to alter the application forms so that they may be submitted on-line.

Processing Applications

Another point to make, while emphasizing the aspect of harmonization, is for each municipality to take steps to ensure complete applications by rejecting or at the very least, contacting the applicant, where forms are incomplete. For this process to be effective and beneficial to both developers and municipalities, applicants must realize that all governments will take the same stance in requiring complete applications.

The "Information Required for Submission" components of the *Part 2* applications are in place to allow staff to review individual applications for specific requirements. Not only do site-to-site conditions vary, but also community-to-community requirements vary. If the required items are indicated by staff on the application, and then submitted with the application, other staff will be aware of the discussed requirements for each application. Some municipalities currently have an internal checklist used during the review process, and, with the addition of any municipal-specific requirements to the bottom of this section, this list may replace any current forms used for this purpose.

6.2 Helpful Handouts for the Development Process

There are, at this point, items that are unable to be harmonized throughout the region. A few of these have been discussed, such as fees and processes. An essential document, to assist the developers and general public in understanding each process, would be a “guide” to each type of application. This guide would include fees, processes and unique requirements, specific to the individual municipality. There are many local governments that currently have pamphlets or handouts to detail submission requirements, fees, processes and frequently asked questions. Existing handouts may need to be altered to reflect details in the new harmonized application forms.

Examples of areas to be covered in a Rezoning handout would be:

- What is Rezoning?
- What do I need for an application?
- What are the fees?
- Discussions required before application;
- Explain the application process;
- What additional details are required on the plans?
- How long is the process?
- What happens after approval or rejection? and
- What other permits might be required?

A partial sample of a Subdivision Guide is shown below.

District of Harmonization

Subdivision (PLA) Application

District of Harmonization
555 Kristinademedeiros Way
Victoria, B.C. V8W 3W3
tel (250) 555-5555
fax (250) 555-5556
www.harmonization.ca

Subdivision

The Provincial Government has granted municipalities the power to regulate the subdivision of land. Subdivision is the process of altering property boundaries or creating new parcels of land.

A subdivision application is required to:

- ◆ Create several parcels from one or more existing lots; or,
- ◆ Adjust or realign an existing property line.

Application Requirements

The registered owner of the property or an authorized agent may apply for Preliminary Layout Assessment (PLA). You are requested to submit the following to the Approving Officer:

- ◆ completed application form, including the owner's authorization;
- ◆ application fee;
- ◆ preliminary plans which outline the proposed subdivision;
- ◆ BCLS survey if retaining existing buildings;
- ◆ certificate of title, issued within the last 30 days (see "Title Search") or \$10 fee to provide service; and
- ◆ Details of registered covenants, right-of-ways or easements.

A complete plan checklist is provided on the last page.

Title Search

All applications must be accompanied by a title search dated no more than 30 days prior to the application. The purpose of this requirement is to confirm property ownership and legal description. Title searches may be obtained in person or by mail from:

Land Title Office
850 Burdett Avenue
Victoria, B.C. V8W 1B4
tel (250) 387-6331

Alternatively, you may pay a \$10 fee for the municipality to complete an on-line Title search.

Fees

Preliminary Layout Assessment	
Up to 3 lot subdivision	\$500 /for max. 3 lots
Each additional lot	\$200 /per lot after
Final Subdivision Approval	
Each lot, up to 3	\$300 /per lot
Each additional lot	\$100 /per lot after
Administration Fee	
4% of estimated cost of works and services	
Subdivision Sign Fee	\$50
Site Profiles (if applicable) \$50	

```

graph TD
    A[Applicant discusses proposal with Approving Officer] --> B[Applicant makes P.L.A. application (checklist on back)]
    B --> C[Approving Officer co-ordinates review by staff and agencies]
    C --> D[Approving Officer makes a decision and sets out conditions for final review in PLA]
    D --> E[Additional information may be required]
    E --> D
    D --> F[If PLA is issued, Conditions such as Works and Services are indicated]
    F --> G[Applicant required to meet Conditions]
    G --> H[Application with subsequent information required for Final Subdivision Approval]
    H --> I[Final Subdivision approval may be issued by the Approving Officer]
    
```

6.3 The Future

There will always be a need for municipal-specific bylaws due to the differences in community plans, opportunities for growth and environmental conditions. However, given that all municipalities have a desire to regulate building setbacks and height, there may be a benefit to common bylaw definitions, such as height and grade. The methods for these calculations vary from district to district and may cause designers confusion and additional design time. It would be recommended that a committee of Local Planners review the current applications of these definitions, and others, to determine if any harmonization of bylaw definitions would be a possibility.

Harmonization of fees would be a challenging project in that each government would need to prove that they had similar administration and processing costs. It is hoped that universal application forms and helpful supplemental guides would result in more complete applications and perhaps streamlined processing. If that is the case, perhaps a future study would assist the Local Planners in evaluating staff time, and create a basis on which to establish harmonized fees for applications, using the attached fee schedule as a guide (see Appendix C).

The consultant has made every effort to predict all items necessary to be included on application forms. The attached application forms have been developed with the assistance of Local Government Planners and the evaluation of current forms. Although attempts were made to produce complete and useful forms, there may have been aspects or items overlooked. To that end, these applications have been designed with the most common word processing document in use, "Microsoft Word". Changes to this document may be made as necessary. **It is recommended that the only initial change would be to insert the correct local government name and contact information.**

In the future, it would be suggested to review the applications on a bi-annual basis to ensure the forms are meeting the needs of each municipality. If changes are required, suggestions should be brought forward at an inter-municipal meeting of Local Planners. In this manner, items could be discussed and reviewed, and perhaps all participating municipalities could adopt similar changes. A template could then be circulated of any potential changes so all could follow the same format.

7.0

Appendices

Appendix A..... Forms
Appendix B..... Building Permit
Appendix C..... Fee Schedule



7.1

Appendix A

Harmonized Forms

Development Application
Part 1 (DEV-DEV)

Owner's Authorization
(DEV-OWN)

Rezoning
OCP Amendment
Development Permit
Part 2 (DEV-RDP)

Development Variance Permit
Part 2 (DEV-DVP)

Preliminary Layout Assessment
Part 2 (DEV-PLA)

Board of Variance
Part 2 (DEV-BOV)



7.2

Appendix B

Building Permit

This form has been developed by combining the most common items on current application forms used by the local municipalities. It is not suggested that this application form be implemented at this time.

The Building Inspection offices have not been involved in any review during this process, and this form could simply be a starting point for any future discussions.



7.3

Appendix **C**

Fee Schedule

